

ccw  
FCC  
2126

# **CERTIFICATE OF MAILING**

I hereby certify that the below listed items are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

on

5-10-05

Jeffrey R. Kuester

In Re Application of:

Gastaldi

Serial No.: 09/847,016

Filed: May 1, 2001

Confirmation No.: 5647

Group Art Unit: 2126

Examiner: Bullock, Jr., Lewis

Docket No.: A-6396 (191910-1770)

**For: METHOD AND APPARATUS FOR TAGGING MEDIA PRESENTATIONS WITH  
SUBSCRIBER IDENTIFICATION INFORMATION**

The following is a list of documents enclosed:

Return Postcard  
Fee Transmittal  
Form 2038 authorizing \$200.00 for Extra Independent Claim  
Amendment Transmittal  
Response and Amendment to Non-Final Office Action

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.

**AMENDMENT TRANSMITTAL LETTER (LARGE)**Applicant(s): **Gastaldi**

Docket No.

**A-6396 (191910-1770)**Serial No.  
**09/847,016**Filing Date  
**May 1, 2001**Examiner  
**Bullock Jr., Lewis**Confirmation No.  
**5647**Group Art Unit  
**2126****Invention: METHOD AND APPARATUS FOR TAGGING MEDIA PRESENTATIONS WITH SUBSCRIBER IDENTIFICATION INFORMATION****Commissioner for Patents  
Mail Stop Amendment  
P.O. Box 1450  
Alexandria VA 22313-1450**

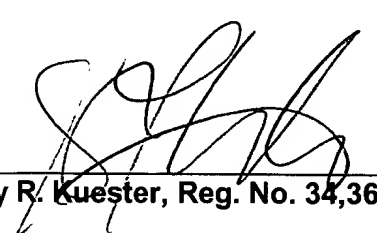
Transmitted herewith is Response and Amendment to Non-Final Office Action in the above-identified application.

The fee has been calculated and is transmitted as shown below

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	35 -	37 =	0	X \$50.00	\$0
INDEP. CLAIMS	4 -	2 =	1	X \$200.00	\$200.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				\$360.00	\$0
EXTENSION FEE	1 <sup>ST</sup> MONTH <input type="checkbox"/> \$120.00	2 <sup>ND</sup> MONTH <input type="checkbox"/> \$450.00	3 <sup>RD</sup> MONTH <input type="checkbox"/> \$1,020.00	4 <sup>TH</sup> MONTH <input type="checkbox"/> \$1,590.00	\$0
Other Fees:					\$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$200.00

- ☐ No additional fee is required.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_. A duplicate copy of this page is enclosed.
- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ A Credit Card Payment Form PTO-2038 is attached in the amount of \$200.00.
- ☒ The Director is hereby authorized to charge any deficiencies of the above fees or credit any overpayment to Deposit Account No. 20-0778.

  
\_\_\_\_\_  
**Jeffrey R. Kuester, Reg. No. 34,367****5-10-05**  
\_\_\_\_\_  
Date

<p style="text-align: center;">Effective on 12/08/2004 Fees Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <p style="text-align: center;"><b>PTO</b> <b>FEE TRANSMITTAL</b> <b>For FY 2005</b></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p><b>TOTAL AMOUNT OF PAYMENT (\$200.00)</b></p>	<p style="text-align: center;"><b>Complete if Known</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Application Number</td> <td>09/847,016</td> </tr> <tr> <td>Filing Date</td> <td>May 1, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>Gastaldi</td> </tr> <tr> <td>Examiner Name</td> <td>Bullock Jr., Lewis</td> </tr> <tr> <td>Art Unit</td> <td>2126</td> </tr> <tr> <td>Attorney Docket No.</td> <td>A-6396 (191910-1770)</td> </tr> </table>	Application Number	09/847,016	Filing Date	May 1, 2001	First Named Inventor	Gastaldi	Examiner Name	Bullock Jr., Lewis	Art Unit	2126	Attorney Docket No.	A-6396 (191910-1770)
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First Named Inventor	Gastaldi												
Examiner Name	Bullock Jr., Lewis												
Art Unit	2126												
Attorney Docket No.	A-6396 (191910-1770)												

**METHOD OF PAYMENT (check all that apply)**

☐ Check 
 ☒ Credit Card 
 ☐ Money Order 
 ☐ None 
 ☐ Other (please identify):

☐ Deposit Account 
 Deposit Account Number: **20-0778** 
 Deposit Account Name: **Thomas, Kayden, Horstemeyer Risley, L.L.P.**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below 
 ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 
 ☒ Credit any overpayments

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	Filing Fees		Search Fees		Examination Fees		Fees Paid (\$)
	Fee (\$)	Small Entity Fee(\$)	Fee (\$)	Small Entity Fee(\$)	Fee (\$)	Small Entity Fee(\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESSIVE CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee(\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>		
35 -20 or HP = 0	Fee (\$)	Fee Paid (\$)
	\$50.00	0
HP = highest number of total claims paid for, if great than 20		
<b>Indep. Claims</b>		
4 -3 or HP = 1	Fee (\$)	Fee Paid (\$)
	\$200.00	\$200.00
HP = highest number of total claims paid for, if great than 3		

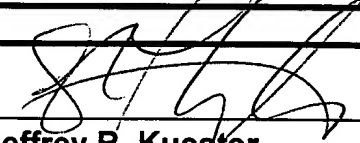
**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 USC 41(a)(1)(G) and 37 CFR 1.16(s)

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
-100 =	/50=	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification,	\$130 fee (no small entity discount)	Fee Paid (\$)
Other:		

SUBMITTED BY Signature: 		Complete (if applicable) Telephone Number: 770-933-9500	
Name: (Print/Type) <b>Jeffrey R. Kuester</b>		Registration No. <b>34,367</b> Date: <b>5-10-05</b>	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) and application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

Gastaldi

Serial No.: 09/847,016

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For: **METHOD AND APPARATUS FOR TAGGING MEDIA PRESENTATIONS WITH  
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**RESPONSE AND AMENDMENT TO NON-FINAL OFFICE ACTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The outstanding non-final Office Action mailed February 10, 2005 (Paper No./Mail Date 20050204) has been carefully considered. Reconsideration and allowance of the Application and presently pending claims are respectfully requested.

**AUTHORIZATION TO DEBIT ACCOUNT**

It is believed that no extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 20-0778.

05/16/2005 HMARZI1 00000011 09847016

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